

13 Feb 76

ES

There is no record of previous correspondence
from A. W. Vecchiarello in ER.

11 Feb 76

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

Anthony V. Vecchiarello
2727 Duke Street
Alexandria, Virginia 22314

Louis P. Vecchiarello
2727 Duke Street
Alexandria, Virginia 22314

PLAINTIFFS

v.

Civil Action No.
76-064-A

Earl J. Silbert, In His Official Capacity,
United States Attorney For
The District Of Columbia,
And In His Individual Capacity
United States Court House, Room 3600
Washington, D. C. 20001

Edward Levi, In His Individual Capacity,
And In His Official Capacity
As United States Attorney General
Department of Justice
Washington, D. C. 20530

Department of Justice
Washington, D. C. 20530

DEFENDANTS

MOTION TO AMEND COMPLAINT TO INCLUDE THE
CENTRAL INTELLIGENCE AGENCY AS A PARTY
DEFENDANT.

Pursuant to the Federal Rules of Civil Procedure (U. S. C. A. Title 28)
and the Rules of this Court and Jurisdiction, Plaintiff herewith moves
for an Order of this Court permitting Plaintiff to name and include the
United States Central Intelligence Agency as a party-defendant.

In support thereof Plaintiff, Anthony V. Vecchiarello, recites the
following:

1. Incorporates herein each and every allegation unnumbered 1.
through 15. of the complaint herein with the same force and
effect as if more fully incorporated herein and made a part
hereof.

2. This motion is timely since the time for the named-defendants has not expired, to answer the complaint herein.
3. Pursuant to the Freedom of Information Act, 5 U.S.C. Sec. 552, Plaintiff, Anthony V. Vecchiarello, requested the Central Intelligence Agency of the United States for access to certain documents that might be in the possession of such agency. A copy of such letter is hereto attached as Exhibit Q.
4. Such agency's response was very limited and unresponsive to the purposes of the Act, 5 U.S.C. Sec. 552, that all citizens of the United States are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and employees so that they may be informed to intelligently participate in the democratice process of the American constitutional form of representative government. The response of the agency is hereto attached as Exhibit R.
5. Plaintiff, Anthony V. Vecchiarello, responded, albeit, to the agency's requested fact-seeking information which was honored by Plaintiff, Anthony V. Vecchiarello, a copy of which is hereto attached as Exhibit S.
6. From the date of Plaintiff, Anthony V. Vecchiarello;s response, dated July 21, 1975, the said agency has further failed to respond to the request of Plaintiff, Anthony V. Vecchiarello, from such date, July 21, 1975 to the filing of this motion.
7. The failure of the agency to respond coupled with the their further unwarranted invasion of privacy and not informing Plaintiff, Anthony V. Vecchiarello, of its appellate procedure in the event such request is denied, in whole or in part, pursuant to 5 U.S.C. 552, has caused Plaintiff, Anthony V. Vecchiarello, to exhaust his remedies thereto and submitting this cause to this jurisdiction pursuant to 5 U.S.C. 552 (1)(E)(3).

8. This motion is made to avoid time-consuming duplicity of suits and to further the interests of justice in having such matters expeditied as provided in 5 U.S.C. 552 (a)(4)(C).

WHEREFORE, Plaintiff, Anthony V. Vecchiarello, prays for an Order of this Court granting the within motion to the extent of permitting plaintiffs to amend the complaint to name and include the Central Intelligence Agency of the United States as a party-defendant and to permit plaintiffs to cause service of the complaint herein upon such agency.

Dated: February 11, 1976

Respectfully submitted,



Anthony V. Vecchiarello
Pro Se
2727 Duke Street, Apt. 1010
Alexandria, Virginia 22314

July 5, 1975

United States Government
Central Intelligence Agency
McLean, Virginia 20505

Re: U.S. v. Anthony V. Vecchiarelio, et al.
Criminal Action No. 1981-69 - USDC, DC

Attn: Director, CIA

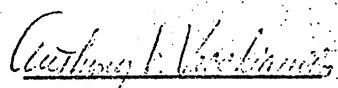
Pursuant to the Freedom of Information Act, Title 5 U.S.C. Sec. 552, I hereby request access to or copies thereof of any and all information your agency now or has maintained regarding the undersigned. The provisions of the Act, 5 U.S.C. 552, (a)(1)(E)(4)(b)(7) render such information available to the public since the same can be obtained by law by virtue of subpeonas ad testifacandums and/or subpeonas duces tecum.

Included, but not limited to, in this request are any files, memorandums or other communicative records transmitted to the office of the United States Attorney for the District of Columbia regarding the undersigned in connection with any investigation of the undersigned in the above-captioned criminal matter.

This request shall further include, but not limited to, information received or transmitted by your agency to any other governmental agency.

If this request is denied in whole or in part or I do not receive a substantive reply within 20 days from the date of this letter then I shall file a complaint for the production of such pursuant to Title 5 U.S.C. Sec. 552, (a)(1)(E)(3).

Respectfully,



Anthony V. Vecchiarelio
Rt. 2 Box 304
White Plains, Maryland 20395

ccp

Clerk, USDC, DC

EXHIBIT Q

16 July 1975

Mr. Anthony V. Vecchiarello
Route 2, Box 304
White Plains, Maryland 20695

Dear Mr. Vecchiarello:

This acknowledges receipt of your letter requesting information as to whether CIA is maintaining any records on you.

We regret that it is impossible to make a search of our records in response to your request based solely on the information you have provided. At a minimum we need a date and place of birth to ensure that we have a positive match between records we may have and a person making a request. If you think other information would assist us in our search, such as other names which you may have used, please provide it.

I am sure you can appreciate that we are obligated to release information concerning individuals only after having made a reasonable determination that any such release is to the person actually concerned.

Sincerely,

Charles E. Lange
for Robert S. Young
Freedom of Information Coordinator



EXHIBIT R

July 21, 1975

Central Intelligence Agency
Washington, D.C. 20505

Re: FOIA Request of Anthony V. Vecchiarello

PERSONAL AND CONFIDENTIAL

Gentlemen:

Your response, dated 16 July, 1975, pursuant to my request of 15 July, 1975 requests additional information to assist you in complying with my request. This information is given ~~antecognitio~~ for the sole purpose stated in your letter and is not to be utilized as a "voluntary statement", on my part or behalf, in violation of my constitutional rights against self-incrimination. STATOTHR

[Redacted]
Respectfully submitted,

Anthony V. Vecchiarello
Rt. 2 Box 304
White Plains, Maryland 20695

cloy

EXHIBIT S

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

Anthony V. Vecchiarello, et al., }
Plaintiffs, }
v. } Civil Action 76-064-A
Earl J. Silbert, et al., }
Defendants. }

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of February, 1976
copies of the within motion (MOTION TO AMEND COMPLAINT TO INCLUDE
THE CENTRAL INTELLIGENCE AGENCY AS A PARTY DEFENDANT) were mailed,
postage prepaid, to the named defendants at their respective addresses
shown in the title of the complaint herein and to the United States
Central Intelligence Agency, Washington, D.C. 20505.



Anthony V. Vecchiarello
Plaintiff, Pro Se
2727 Duke Street, Apt. 1010
Alexandria, Virginia 22314

UNCLASSIFIED

CONFIDENTIAL

SECRET

EXECUTIVE SECRETARIAT

Routing Slip

TO:		ACTION	INFO	DATE	INITIAL
1	DCI				
2	DDCI				
3	S/MC				
4	DDS&T				
5	DDI				
6	DDA				
7	DDO				
8	D/DCI/IC				
9	D/DCI/NIC				
10	GC				
11	LC				
12	IG				
13	Compt				
14	D/Pers				
15	D/S				
16	DTR				
17	Asst/DCI				
18	AO/DCI				
19					
20					
21					
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SUSPENSE

Date

Remarks:

STATINTL

14 Feb
Date

3637 (1-75)